

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SAMMIE LEE NUNN III,
Petitioner,
v.
NDOC, *et al.*,
Respondents.

Case No. 2:21-cv-00579-KJD-BNW

ORDER

On April 8, 2021, the Court received, from Sammie Lee Nunn III, an individual incarcerated at Nevada's Three Lakes Valley Conservation Camp, a petition for writ of habeas corpus (ECF No. 1-1) and a motion for appointment of counsel (ECF No. 1-2). Those documents have not been filed because Nunn did not pay the filing fee for this action and he did not file an application to proceed *in forma pauperis*. Because Nunn did not pay the filing fee or apply for *in forma pauperis* status, the Court will summarily dismiss this case without prejudice.

If Nunn wishes to pursue a federal habeas corpus action, he must initiate a new case by submitting a habeas petition and either pay the \$5 filing fee or file a fully completed application to proceed *in forma pauperis*, including the required financial certificate.

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1 **IT IS THEREFORE ORDERED** that this action is dismissed without prejudice.

2 **IT IS FURTHER ORDERED** that the petitioner is denied a certificate of
3 appealability.

4 **IT IS FURTHER ORDERED** that the Clerk of the Court is directed to enter
5 judgment accordingly.

6 **IT IS FURTHER ORDERED** that the Clerk of the Court is directed to send to the
7 petitioner, along with a copy of this order, the forms for a petition for writ of habeas
8 corpus pursuant to 28 U.S.C. § 2254 and an application by a prisoner to proceed *in*
9 *forma pauperis*.

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11 DATED THIS ¹³ day of April, 2021.

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KENT J. DAWSON,
UNITED STATES DISTRICT JUDGE